

U.S. Application No.: 10/025,787
Inventor: Renato CARETTA
Attorney Docket No.: 07040.0113
Reply to Office Action issued October 15, 2008

REMARKS

By this Amendment, Applicant has canceled claims 48-66 without prejudice or disclaimer and has amended claim 47. No new matter has been added. Claims 34-37 and 39-47 remain present and pending in the application.

As an initial matter, Applicant appreciates the Examiner's allowance of claims 34-37 and 39-46. Office Action at 2. Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 47 and allowance of all of pending claims 34-37 and 39-47.

I. Claim Rejection under 35 U.S.C. § 112, Second Paragraph

Claim 47 was rejected under 35 U.S.C. § 112, second paragraph, based on the rejection statement's assertion that in claim 47, "'the first fluid under pressure' lacks antecedent basis and it is unclear if such fluid is the 'working fluid' or the 'fluid under pressure' used in the expanding step." Office Action at 2. By this Amendment, Applicant has amended claim 47 to recite "the fluid under pressure" rather than "the first fluid under pressure." Applicant respectfully submits that claim 47 fully complies with 35 U.S.C. § 112, second paragraph, and respectfully requests reconsideration and withdrawal of the rejection of claim 47.

II. Conclusion

Claim 47 should be allowable. Remaining claims 34-37 and 39-46 have been allowed. Thus, all of the pending claims should be allowable. Accordingly, Applicant

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respectfully requests reconsideration of this application, withdrawal of the claim rejection, and allowance of all of pending claims 34-37 and 39-47.

If the Examiner believes that a telephone conversation might advance prosecution of this application, the Examiner is cordially invited to call Applicant's undersigned attorney at (404) 653-6559.


Applicant respectfully submits that the Office Action contains a number of assertions. Regardless of whether those assertions are addressed specifically herein, Applicant respectfully declines to automatically subscribe to them.

Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 12, 2009

By: 
Christopher T. Kent
Reg. No. 48,216